

ZULIMA V. FARBER
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board
of Medical Examiners

FILED

September 14, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Mileidy Perez
Deputy Attorney General
Tel. (973)648-2500

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

MARINA MARGOLIN, M.D.
License No. MA63093

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information that on or about November 30, 2005, the New York State Department of Health, State Board for Professional Medical Conduct ("New York Board"), filed a Statement of Charges alleging that Marina Margolin, M.D. ("Respondent") committed professional misconduct in her treatment of Patients A, B, C and D, by engaging in fraudulent practice as defined in N.Y. Educ. Law §6530(2); negligence on more than one occasion as defined in N.Y. Educ. Law §6530(3); incompetence on more than one occasion as defined in N.Y. Educ. Law §6530(5); performing excessive tests and treatments as defined in N.Y. Educ.

CERTIFIED TRUE COPY

Law §6530(35); engaging in conduct in the practice of medicine that evidences moral unfitness as defined in N.Y. Educ. Law §6530(20); and failing to maintain a record for each patient which accurately reflects the care and treatment of the patient as defined in N.Y. Educ. Law §6530(32). Respondent was also charged with wilfully making or filing a false report or failing to file a report as defined by N.Y. Educ. Law §6530(21), in that Respondent billed insurance carriers for visits, tests, and procedures which had never taken place, as pertains to Patients A and B, and improperly received a portion of fees paid by the insurance carrier to a radiologist who interpreted diagnostic tests, as pertains to Patient B.

On or about April 3, 2006, the New York Board entered a Consent Order adopting the terms of the Consent Agreement executed by Respondent, suspending Respondent for a period of 24 months with said suspension stayed, and placing Respondent on probation for a period of 36 months subject to specific terms and conditions. Pursuant to the Consent Agreement, Respondent acknowledged that she could not successfully defend against at least one of the charges in the Statement of Charges and agreed to enter into the Consent Agreement in full satisfaction of the charges against her. By entry of the Consent Agreement and Order, Respondent can only practice medicine when monitored by a licensed physician approved by the Director of the Office of Professional Medical Conduct ("OPMC"), and can only bill for medical services through a medical billing

service approved by the Director of the OMPC. Respondent must also complete 140 hours of specific continuing medical education courses offered by the Medical Knowledge Self-Assessment Program administered by the American College of Physicians and must pay a fine in the amount of \$125,000.00.

The above disciplinary action taken by the sister state of New York provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(e), in that, Respondent has engaged in professional misconduct. It appearing that Respondent wishes to resolve this matter without formal proceedings and for good cause shown,

ACCORDINGLY, IT IS on this 21 day of August 2006,
ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey is hereby suspended for a period of 24 months, said suspension to be entirely stayed, and Respondent shall be placed on probation for a period of 36 months. Said probationary period shall be retroactive to and run concurrently with the 36 month probation period issued by the sister state of New York by entry of the April 3, 2006, Consent Order.

2. Respondent's authority to practice medicine and surgery in the State of New Jersey during the 36 month period of probation shall be expressly contingent upon strict compliance with the following terms and conditions:

(a) Respondent shall bill for medical services only through a medical billing service approved by the Board.

(b) Respondent shall practice medicine only under the supervision of a Board approved licensed physician ("practice monitor") who is board certified in the appropriate specialty. Respondent shall execute a written agreement with said practice monitor agreeing to immediately report to the Board both orally and in writing if Respondent's care does not appear to meet the requisite standard of practice or if Respondent is in violation of the terms and conditions stated herein while she is under supervision.

(c) Respondent shall ensure that her practice monitor provides written quarterly status reports to the Board.

(d) Respondent shall be solely responsible for the costs associated with the monitoring conditions set forth in the within Consent Order.

3. Respondent shall maintain active registration of her license in the State of New Jersey and shall pay all registration fees associated with her license.

4. Respondent shall provide proof of successful completion of the 140 hours of continuing medical education mandated by the New York Board for Professional Medical Conduct by entry of the April 3, 2006, Consent Order. These 140 hours of continuing medical education shall be in addition to those hours required for renewal of licensure in the State of New Jersey.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

Sindy M. Paul, MD, MPH

By:

Sindy Paul, M.D.
Board President

I have read and understand the within Consent Order. I hereby acknowledge that I have the right to seek legal representation in this matter and I intelligently, knowingly and voluntarily waive that right. I hereby agree to be bound by the terms of the within Consent Order. Consent is hereby given to the Board to enter into this Order.

Marina Margolin, M.D.
Pro se

08.21.06

Date